

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
AUGUST 24, 2009
Commissioners Courtroom
One Hamilton County Square
Noblesville, Indiana

The Hamilton County Board of Commissioners met on Monday, August 24, 2009 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 12: 15 p.m. President Holt called the public session to order at 1:00 p.m. declaring a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. Holt led the Pledge of Allegiance.

Approval of Minutes

Dillinger moved to approve the minutes of August 10, 2009. Altman seconded. Motion carried unanimously.

Executive Session Memoranda

Mr. Mike Howard announced the Executive Session of 8:00 a.m. will be continued until after today's meeting. Holt asked that the Executive Session Memoranda be held for approval on September 14, 2009.

BID OPENING

Bridge #276, 96th Street over Behner Brook

Howard opened the bids for the rehabilitation of Bridge #276, 96th Street over Behner Brook. Form 96, Non-collusion Affidavit, Bid Bond and Financial Statement is included unless otherwise noted.

- Trisler Construction - \$83,027.30

Dillinger moved to refer the bids to the highway staff for review and recommendation later in today's meeting. Altman seconded. Motion carried unanimously.

HIGHWAY BUSINESS

Acceptance of Bonds/Letters of Credit – Highway Department

Dillinger moved to accept Bonds and Letters of Credit for the highway department. Altman seconded. Motion carried unanimously.

- HCHD #B-09-0028 – Old Republic Surety Company Permit Bond #1206479 issued on behalf of The Holy Trinity Inc., in the sum of \$5,000 for temporary driveway cut at 106th Street and Shelbourne Road to expire August 17, 2010.
- HCHD #B-92-0052 – Fidelity and Deposit Companies Continuation Certificate for Bond #30359069 issued on behalf of The Snider Group, Inc., in the sum of \$25,000 for blanket road cut to expire September 17, 2010.

Release of Bonds/Letters of Credit – Highway Department

Dillinger moved to approve the release of Bonds and Letters of Credit for the highway department. Altman seconded. Motion carried unanimously.

- HCHD #B-02-0101 – Safeco Insurance Company Subdivision Bond #6179748 issued on behalf of Centex Homes for stone base, HAC binder/surface, concrete curbs, street and regulatory signs in Intracoastal at Geist, Section 1.
- HCHD #B-04-0084 – Continental Insurance Company Subdivision Bond #929344414 issued on behalf of Centex Homes for streets in The Intracoastal at Geist, Section 3B.

AGREEMENTS/SUPPLEMENTS

106th Street and Ditch Road Interlocal Agreement with Carmel

Altman moved to approve the Interlocal Cooperation Agreement between the City of Carmel, Indiana and Hamilton County, Indiana (HCHD #M-09-0032) for improvements to the intersection of 106th Street and Ditch Road. City of Carmel will pay half of the construction costs with Carmel paying for inspection costs and landscaping costs. The project is scheduled for a bid opening on September 14, 2009. Dillinger seconded. Motion carried unanimously.

Ditch Road Traffic Study Supplemental Agreement No. 6

Altman moved to approve Supplemental Agreement No. 6 (HCHD #E-98-0013) with First Group Engineering for the remaining engineering work for the 106th Street and Ditch intersection improvement. Dillinger seconded. Motion carried unanimously.

ACCEPTANCE OF STREETS

Fox Hollow at Geist, Section 2 Acceptance of Streets

Dillinger moved to accept streets in Fox Hollow at Geist, Section 2 for 0.38 miles accepted. Altman seconded. Motion carried unanimously.

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OFFICIAL ACTIONS

Fox Hollow at Geist, Section 2 Speed Limits

Altman moved to approve the official action to install speed limit regulatory signs for Fox Hollow at Geist, Section 2. Dillinger seconded. Motion carried unanimously.

Agenda Amendment

Mr. James Neal requested an amendment to the agenda to add approval of a title sheet for 106th Street and Ditch project. Altman so moved. Dillinger seconded. Motion carried unanimously.

Title Sheet – 106th Street and Ditch Road Intersection Improvements

Altman moved to approve the Title Sheet for the 106th Street and Ditch Road Intersection Improvements. Dillinger seconded. Motion carried unanimously.

ANNOUNCEMENTS

Transportation Enhancement Applications

Mr. Brad Davis reported they have submitted the Transportation Enhancement Applications (TEA) for the trail at 146th Street carrying Hazel Dell Road and the application for the Riverwalk, Phase 2.

Davis stated they added one additional application for a multi-use path on 146th Street on the north side between Carey Road and Hazel Dell Road. Davis requested the Commissioners concurrence on the submittal of this application. Altman so moved. Dillinger seconded. Motion carried unanimously.

Friday Highway Meeting

Davis confirmed there would be a Friday morning highway meeting on August 28, 2009 at 7:30 a.m. at the highway department.

Tiger Grants

Holt asked Davis if Hamilton County is doing anything with Tiger Grants? Altman stated the Hoosier Heritage Port Authority (HHPA) may be submitting a Tiger Grant. Altman is waiting for information from Jan Powell. Davis stated the highway staff looked at submitting a Tiger Grant but the timeline necessary to get a environmental document through was not feasible. Davis stated he thinks Carmel may be trying to submit a Tiger Grant for 96th Street and Keystone.

BID AWARD

Bridge #276, 96th Street over Behner Brook

Neal stated the bid for rehabilitation of Bridge #276 has been reviewed and he recommended the bid be awarded to Trisler Construction in the amount not to exceed \$83,027.30. Dillinger so moved. Altman seconded. Motion carried unanimously.

IRTC Meeting

Davis reported the IRTC (Indianapolis Regional Transit Committee) Technical Committee did not discuss anything controversial; they discussed the by-laws covering some of the pay to play provisions. Altman stated she thinks CIRT (Central Indiana Regional Transit Authority) may have a seat at the table. Davis stated the by-laws were supposed to be discussed at the Policy Committee meeting.

ATTORNEY

Ordinance 08-24-09-01, Prohibiting Left Hand Turn

Howard presented Ordinance 08-24-09-01, An Ordinance of the Board of Commissioners of Hamilton County, Indiana, Prohibiting Left Hand Turns from the Hamilton County Employee Parking Lot. The Ordinance prohibits no left turns onto Conner Street (S.R. 32) from the south employee parking lot. The City of Noblesville will have an Ordinance on their agenda prohibiting left turns from 6th Street onto S.R. 32. and should be approved with suspension of the rules. The Hamilton County Highway Department is required to post signage. Altman moved to suspend the rules. Dillinger seconded. Motion carried unanimously. Altman moved to approve Ordinance 08-24-09-01 on first reading. Dillinger seconded. Motion carried unanimously. Swift will send out an E-mail to all employees informing them of the restrictions.

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ADMINISTRATIVE ASSISTANT

Cro-Knisters Request for Donation

Swift stated Ms. Wanda Beeler is unable to attend today's meeting regarding her request for a monetary donation for the Cro-Knisters group. Altman asked it be left tabled.

Joint Retreat

Swift reported the county council has requested a retreat with the commissioners be scheduled in October. The council has recommended meeting at Coxhall Park; there is no furniture in the building while it undergoes renovation. The Commissioners recommended Monday, October 12, 2009 at 7:30 a.m. Swift will verify the date and time with the council. Holt asked Swift recommend Osprey Pointe, as it is furnished and is closer to the Courthouse which will allow more time for the meeting.

Christmas Luncheon and Training Meeting

The Commissioners agreed to hold the Employee Christmas Luncheon and Training Meeting on December 23, 2009 at 12:00 noon.

Public Records Commission Proxy

Altman moved to appoint Fred Swift as the Commissioner's Proxy for the Hamilton County Public Records Commission. Dillinger seconded. Motion carried unanimously.

Historic Jail

Swift reported the Historic Landmarks Committee has requested Hamilton County repair several items on the exterior of the historic jail. A copy of the letter has been given to Steve Wood, Buildings & Grounds Superintendent. Holt asked Swift to place this item on the next meeting agenda and that Wood attend the next meeting to address the issue.

Employee Delinquent Property Taxes

Swift stated he has sent letters to 23 county employees who are delinquent on their property taxes.

Voter Registration Training

Swift stated the Voter Registration staff has requested permission to attend the Election Administrators Conference in Indianapolis. The cost is \$150 per person. Two employees would be attending. Kathy Richardson has informed Swift that it is recommended to attend this conference. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

DILAPIDATED HOME

21209 State Road 37 North Dilapidated Home

Mr. Chuck Kiphart stated a Demolition Order has been issued for property located at 21209 State Road 37 North in Noblesville Township, Noblesville, Indiana. The property owners, Robert C. & Thelma S. Ploughe, have informed Kiphart that the trailer included on the property is actually on an adjacent property and Kiphart is still investigating the trailer and the property lines. The Ploughe's have applied for a demolition permit, the only thing Kiphart needs is a date of demolition. Mr. Ploughe stated he has been told the home will be demolished by the end of September. Altman moved to continue this issue until October 10, 2009. Dillinger seconded. Motion carried unanimously.

Home Place Map

Kiphart distributed a map of the Home Place area survey of dilapidated homes.

PRECINCT APPROVAL

2010 Precincts

Ms. Kathy Richardson requested approval of the Order Adding and Changing of Voter Precincts for 2010. Richardson reported eleven (11) new precincts have been added. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

ASSESSOR

Sales Disclosure Contract

Ms. Debbie Folkerts requested approval of a contract with AS2, Inc. for sales disclosure software system. Folkerts stated BJ Casali, Julie Crask, Robin Ward and Judy Levine served on the review committee to select the software. Cost is \$1,500 less than Manatron. Folkerts disclosed that AS2, Inc. is her husband's company and she was not involved in the selection process. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

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Appraisal Services Engagement Letter

Folkerts requested approval of an Engagement Letter with Advisio, Inc. to perform appraisals on one CVS Drug Store and one Walgreens Drug Store. Every CVS and Walgreens in Hamilton County has filed an appeal on their assessment and they are getting their own appraisals. If Folkerts goes to the State without an appraisal she will lose the appeal. The cost per appraisal is \$4,250 and he will testify at an additional fee. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

JANUS TRANSPORTATION GRANT

Janus Transportation Grant Additional Funding

Mr. John Etchison, Accounting Manager at Janus Developmental Services, requested an increase of \$89,811 (for the county's local match) over the previous year's amount (\$312,500) which brings a total of the local match to \$402,311 for 2010. Janus will be expanding their transit service from 14 buses to 26 buses. With those new buses Janus will need funds to pay for bus drivers, fuel, insurance, etc. Altman asked how long is the current waiting list on the bus service? Etchison stated they are expanding their on-demand service as well as picking up anyone who wants to ride the bus. Ms. Connie Sanders stated it is the same curb to curb service that they have been operating since Noblesville Public Transit became Hamilton County Express. Altman stated last year you were running with people on a waiting list trying to get rides, will this additional service help correct this situation? Sanders stated it will help correct it 70 to 75 percent, but they will still have a waiting list. Altman clarified that we are not putting more buses on the road than we need; this is trying to get close to where we need to be? Sanders stated yes. Altman asked Sanders if they understand next year what they need to do is to estimate a little bit on the high side for the budget so we get our numbers in. Altman reported Janus did not include the local match in their budget request and the additional service requires additional local match funds. Altman stated the Commissioners will have to support Janus' request for an additional appropriation in next year's budget or if Council can include this increase before they adopt the 2010 budget. Altman asked if this is a 50/50 grant? Sanders stated yes. Altman stated the \$400,000 represents 50 percent of the cost of operations and equipment, the other 50 percent is funded through FTA (Federal Transportation Authority) grants. Dillinger asked what would happen if the Commissioners did not approve the additional \$89,000? Sanders stated they would pull some of the buses off of the road. Altman stated it would be a longer waiting list for people calling in requesting service. Altman moved to approve, subject to funding by Council. Dillinger seconded. Motion carried unanimously.

Janus Transportation Grant Application

Altman moved to approve the Operating, Capital & Intercity Application Package for Calendar Year 2010 for Hamilton County Public Transportation. Etchison reported the federal government funds 50 percent; INDOT (Indiana Department of Transportation) funds 10 percent with Hamilton County funding 40 percent. Dillinger seconded. Motion carried unanimously.

BONDS AND LETTERS OF CREDIT

Centennial Surety

Mr. Bryan Stumpf, Estridge Development Company, is opening a new section of Centennial, north of 146th Street. Hamilton County requires a bond for storm water and for monuments & markers. Estridge has partnered with their contractor on the storm water bond, but the monuments & markers bond Estridge will be solely responsible for. Due to the current state of the credit market they can not provide the surety requested in the form of a Bond or a Letter of Credit. The monuments & markers bond is in the amount of \$2,052. Stumpf proposed Estridge provide a check payable to Hamilton County in the amount of \$2,052 to insure the installation of the monuments & markers. Howard stated we will start seeing more of this. Howard will need to write an ordinance authorizing a cashier's check in lieu of bonds. Howard recommended creating a form, the developer would sign the form and the security would be the cash. The cash would be deposited into a dedicated fund. Stumpf stated everything is in place except the surety, if it is not approved today it will hold up the project for three (3) weeks. Howard recommended a motion to allow Estridge to tender the \$2,052 to the Auditor's office as long as they have signed a commitment to install the monuments & markers. Altman moved to approve. Dillinger seconded. Motion carried unanimously. Howard will draft the commitment; Stumpf will sign the agreement and present the check. The check will be cashed and put into the county funds. A claim will need to be filed to receive the money back.

AUDITOR

Clerk's Monthly Report

Dillinger moved to approve the Monthly Report of the Clerk of the Circuit Court dated July 31, 2009. Altman seconded. Motion carried unanimously.

Treasurer's Monthly Report

Altman moved to approve the County Treasurer's Monthly Report dated July 31, 2009. Dillinger seconded. Motion carried unanimously.

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Release of Bonds/Letters of Credit – Drainage Board

Dillinger moved to approve the release of Bonds and Letters of Credit for the Drainage Board. Altman seconded. Motion carried unanimously.

- HCDB-2005-00047 – Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 716589S for Centennial Commercial Phase I storm sewers in the amount of \$6,531.80.
- HCDB-2005-00048 – Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 716588S for Centennial Commercial Phase I for erosion control in the amount of \$2,358.40.

Payroll Claims

Altman moved to approve Payroll Claims for the period of July 27-August 9, 2009 paid August 21, 2009. Dillinger seconded. Motion carried unanimously.

Vendor Claims

Dillinger moved to approve Vendor Claims to be paid August 25, 2009. Altman seconded. Motion carried unanimously.

INDIANA STATE POLICE INTERLOCAL AGREEMENT

Remotec Andros Bomb Disposal Robot Interlocal Agreement

Altman reported through UASI (Urban Area Security Initiative) Hamilton County has received funding for a Remotec Andros bomb disposal robot. A specific Indiana State Police (ISP) officer is trained to utilize this robot and will keep him for use in Central Indiana. Altman requested approval of an Interlocal Agreement between the Indiana State Police and Hamilton County, Indiana where the Indiana State Police will maintain the robot up to \$20,000 annually and he will be continued to be trained and certified but Hamilton County will remain the owner. The ISP officer will also train Hamilton County officers on the robot. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

The Commissioners adjourned their public meeting and returned to the 8:00 a.m. Executive Session in Conference Room 1A.

Commissioner Correspondence

Monon Crossing of 146th Street Letter of Participation from Washington Township Trustee

Maple Avenue Improvement Project – City of Noblesville

IDEM Notice of Sewer Permit Application

Arbor Village Infrastructure Extension – Fishers

Avalon of Fishers, Sections 1F & 1G – Fishers

Deer Path, Section Thirteen B – Noblesville

Logans Pointe – Noblesville

Waterman Farms, Section 6 – Noblesville

IDEM Notice of Public Comment Period

Beck's Superior Hybrids

IDEM Notice of Operating Permit Renewal

Indiana Ductile, LLC – Noblesville

Certificate of Liability Insurance

PIPE, Inc

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Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Dawn Coverdale, Auditor
Fred Swift, Administrative Assistant to Commissioners
Kim Rauch, Administrative Assistant to Auditor
Michael Howard, Attorney
Doug Carter, Sheriff
Brad Davis, Highway Director
Jim Neal, County Highway Engineer
Joel Thurman, Highway Project Engineer
Brandi Wariner, Highway Public Service Representative
Dave Lucas, Highway Staff Engineer
Robert Chadwell, Highway Inspector
Tim Knapp, Highway Right-of-Way Manager
Matt Knight, Highway Bridge Program Engineer
Faraz Khan, Highway Staff Engineer
Kathy Howard, Highway Department Administrative Manager
Bob Davis, Highway Superintendent
Becki-Wise Kent, USI
Debbie Folkerts, County Assessor
BJ Casali, ISSD Manager
Chuck Kiphart, Plan Commission
Kathy Richardson, Elections
Connie Sanders, Janus Developmental Services
John Etchison, Janus Developmental Services
Paul Khoury, Janus Developmental Services
Robert and Thelma Ploughe, 0 State Road 37 North
Bryan Stumpf, Estridge Development

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Dawn Coverdale, Auditor

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INDEX

I

106th Street and Ditch Road Interlocal Agreement with Carmel..319

2

2010 Precincts 321
21209 State Road 37 North Dilapidated Home 321

A

Acceptance of Bonds/Letters of Credit – Highway Department..319
ACCEPTANCE OF STREETS..... 319
ADMINISTRATIVE ASSISTANT..... 321
Agenda Amendment..... 320
AGREEMENTS/SUPPLEMENTS..... 319
ANNOUNCEMENTS 320
Appraisal Services Engagement Letter 322
Approval of Minutes..... 319
Arbor Village Infrastructure Extension – Fishers 323
ASSESSOR 321
ATTORNEY 320
AUDITOR..... 322
Avalon of Fishers, Sections 1F & 1G – Fishers..... 323

B

Beck’s Superior Hybrids 323
BID AWARD 320
BID OPENING 319
Bridge #276, 96th Street over Behner Brook 319, 320

C

Certificate of Liability Insurance 323
Christmas Luncheon and Training Meeting 321
Clerk’s Monthly Report 322
Commissioner Correspondence 323
Cro-Knisters Request for Donation..... 321

D

Deer Path, Section Thirteen B – Noblesville 323
DILAPIDATED HOME 321
Ditch Road Traffic Study Supplemental Agreement No. 6 319

E

Employee Delinquent Property Taxes..... 321
Executive Session Memoranda 319

F

Fox Hollow at Geist, Section 2 Acceptance of Streets..... 319
Fox Hollow at Geist, Section 2 Speed Limits..... 320
Friday Highway Meeting 320

H

HIGHWAY BUSINESS..... 319
Historic Jail 321
Home Place Map 321

I

IDEM Notice of Operating Permit Renewal..... 323
IDEM Notice of Public Comment Period..... 323
IDEM Notice of Sewer Permit Application..... 323
Indiana Ductile, LLC – Noblesville..... 323
INDIANA STATE POLICE INTERLOCAL AGREEMENT
..... 323
IRTC Meeting..... 320

J

JANUS TRANSPORTATION GRANT 322
Janus Transportation Grant Additional Funding..... 322
Janus Transportation Grant Application..... 322
Joint Retreat 321

L

Logans Pointe – Noblesville..... 323

M

Maple Avenue Improvement Project – City of Noblesville 323
Monon Crossing of 146th Street Letter of Participation from
Washington Township..... 323

O

OFFICIAL ACTIONS 320
Ordinance 08-24-09-01, Prohibiting Left Hand Turn 320

P

Payroll Claims 323
PIPE, Inc 323
PRECINCT APPROVAL 321
Public Records Commission Proxy..... 321

R

Release of Bonds/Letters of Credit – Drainage Board 323
Release of Bonds/Letters of Credit – Highway Department..... 319
Remotec Andros Bomb Disposal Robot Interlocal Agreement .. 323

S

Sales Disclosure Contract..... 321

T

Tiger Grants 320
Title Sheet – 106th Street and Ditch Road Intersection
Improvements 320
Transportation Enhancement Applications..... 320
Treasurer’s Monthly Report 322

V

Vendor Claims..... 323
Voter Registration Training..... 321

W

Waterman Farms, Section 6 – Noblesville 323